

MAKING APPROPRIATIONS FOR THE FISCAL YEARS 2011  
AND 2012 TO PROVIDE FOR SUPPLEMENTING CERTAIN EXISTING  
APPROPRIATIONS AND FOR CERTAIN OTHER ACTIVITIES AND PROJECTS.

*Whereas*, The deferred operation of this act would tend to defeat its purposes, which are forthwith to make supplemental appropriations for fiscal years 2011 and 2012 and to make certain changes in law, each of which is immediately necessary to carry out those appropriations or to accomplish other important public purposes, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

To provide for supplementing certain items in the general appropriation act and other appropriation acts for fiscal year 2011, the sums set forth in section 2 are hereby appropriated from the General Fund unless specifically designated otherwise in this act or in those appropriation acts, for the several purposes and subject to the conditions specified in this act or in those appropriation acts, and subject to the laws regulating the disbursement of public funds for the fiscal year ending June 30, 2011. These sums shall be in addition to any amounts previously appropriated and made available for the purposes of those items. Notwithstanding any general or special law to the contrary, appropriations made in section 2 shall not revert and shall be available for expenditure until June 30, 2012. Notwithstanding any general or special law to the contrary, appropriations made in section 2 shall not revert and shall be available for expenditure until June 30, 2010.

SECTION 2.

JUDICIARY

*Trial Court*

0330-0300 ..... \$12,000,000

**DITRICT ATTORNEY**

*Worcester District Attorney*

0340-0400 ..... \$98,066

*Hampden District Attorney*

0340-0500 ..... \$252,843

0340-0501 ..... \$45,000

*Northwestern District Attorney*

0340-0600 ..... \$102,909

*Norfolk District Attorney*

0340-0700 ..... \$115,203

0340-0701 ..... \$11,453

**SECRETARY OF THE COMMONWEALTH**

0521-0000 ..... \$61,501

0521-0012 ..... \$1,113

**TREASURER & RECEIVER GENERAL.**

*Office of the Treasurer and Receiver General.*

0612-0105 ..... \$200,000

MASSACHUSETTS CULTURAL COUNCIL.

0640-0300 ..... \$750,000

STATE AUDITOR

*Office of the State Auditor*

0710-0000 ..... \$874,830

ATTORNEY GENERAL

*Office of the Attorney General*

0810-0000 ..... \$671,665

INSPECTOR GENERAL

*Office of the Inspector General*

0910-0200 ..... \$709,394

OFFICE OF THE STATE COMPTROLLER

*Office of the State Comptroller*

1599-3384 ..... \$2,000,000

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

*Office of the Secretary of Administration and Finance*

1599-4227 ..... \$3,813,028

EXECUTIVE OFFICE OF EDUCATION

*Department of Early Education and Care*

3000-7050 ..... \$200,000

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

*Office of the Secretary of Health and Human Services*

4000-0300 .....	\$3,000,000
4000-0500 .....	\$6,000,000

*Department of Transitional Assistance*

4403-2000 .....	\$8,200,000
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*Department of Public Health*

4510-0100 .....	\$2,313,560
4516-1000 .....	\$300,000
4512-0103 .....	\$500,000
4580-1000 .....	\$850,000

*Department of Children and Families*

4800-0015 .....	\$1,580,000
4800-1100 .....	\$650,000

*Department of Mental Health*

5046-0000 .....	\$3,000,000
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EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT

*Department of Career Services*

7003-0605 .....	\$800,000
7003-0702 .....	\$250,000

EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

*Massachusetts Marketing Partnership*

7008-0900 .....	\$52,000
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Massachusetts Tourism Fund.....100%

EXECUTIVE OFFICE OF EDUCATION

*Department of Elementary and Secondary Education*

7035-0006 .....\$48,000

*Department of Higher Education*

7066-0021 .....\$500,000

**EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES**

*Department of Elder Affairs*

9110-1660 .....\$107,000

SECTION 2A. To provide for certain unanticipated obligations of the commonwealth, to provide for an alteration of purpose for current appropriations, and to meet certain requirements of law, the sums set forth in this section are hereby appropriated from the General Fund unless specifically designated otherwise in this section, for the several purposes and subject to the conditions specified in this section, and subject to the laws regulating the disbursement of public funds for the fiscal year ending June 30, 2011. These sums shall be in addition to any amounts previously appropriated and made available for the purposes of those items. Notwithstanding any general or special law to the contrary, appropriations made in section 2A shall not revert and shall be available for expenditure until June 30, 2012. Notwithstanding any general or special law to the contrary, appropriations made in section 2 shall not revert and shall be available for expenditure until June 30, 2010.

**DITRICT ATTORNEY**

*Berkshire District Attorney*

0340-1100 For costs associated with the expansion of the Berkshire District Attorney's  
Office and relocation of the State Police Detective Unit ..... \$194,134

# OFFICE OF THE STATE COMPTROLLER

## *Office of the State Comptroller*

1599-3393 For a reserve for the Hayes settlement ..... \$5,000,000

# EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

## *Office of the Secretary of Administration and Finance*

1599-0029 For a reserve to meet the fiscal year 2012 costs of employee training and  
other economic benefits authorized by the collective bargaining agreement  
between the commonwealth and service employees international union local  
1199; provided, that the secretary of administration and finance may transfer  
from the sum appropriated in this item to other items of appropriation  
amounts that are necessary to meet these costs where the amounts otherwise  
available are insufficient for the purpose; and provided further, that funds  
under this item shall not revert but shall be made available for expenditure  
until June 30, 2012 ..... \$1,000,000

1599-1706 For a reserve for the state share of costs to certain municipalities relating to  
the June 1, 2011 storms; provided, that the comptroller shall transfer funds  
made available in this item to municipalities for this purpose upon the written  
request of the secretary of administration and finance ..... \$10,000,000

1599-1707 For a reserve for the state share of costs to certain municipalities and  
municipal lighting plants as identified by the Federal Emergency  
Management Agency for Emergency Declaration 3296 relating to the

December 2008 severe winter storm, for the counties of Berkshire, Bristol, Essex, Franklin, Hampden, Hampshire, Middlesex, Suffolk and Worcester; provided, that the comptroller shall transfer funds made available in this item to municipalities for this purpose upon the written request of the secretary of administration and finance ..... \$6,200,000

1599-1708 For a reserve for the state share of costs to certain municipalities identified by the Federal Emergency Management Agency for Emergency Declaration 1895-DR relating to the March 2010 severe flood, for the counties of Bristol, Essex, Middlesex, Norfolk, Plymouth, Suffolk, and Worcester Counties; provided, that the comptroller shall transfer funds made available in this item to municipalities for this purpose upon the written request of the secretary of administration and finance ..... \$2,783,277

1599-2013 For a reserve for costs associated with the Commonwealth's defense in the case of Connor B., et al v. Patrick, et al, civil action No. 3:10-cv30073; provided, that the secretary may transfer from the sum appropriated in this item to other items of appropriation amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose..... \$2,500,000

1599-3381 For a reserve to pay attorneys' fees in the lawsuit known as Hutchinson v. Patrick, pending in the United States District Court..... \$745,000

1599-4204 For a reserve to meet the fiscal year 2011 and 2012 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the Commonwealth and the State Police Association of Massachusetts ..... \$4,509,518

1599-4252 For a reserve to meet the fiscal year 2011 and 2012 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the commonwealth and the Coalition for Public Safety, Unit 5.....\$140,000

1599-4343 For a reserve to meet the fiscal year 2011 and fiscal year 2012 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the Suffolk county sheriff's department and the County Correction Officers/AFSCME Local 414 .....\$293,950

1599-4421.. For a reserve to meet the fiscal year 2011 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the Board of Higher Education and the Massachusetts Teachers Association/National Education Association Associated Massachusetts Community Colleges Council, and to meet the fiscal year 2011 costs of salary adjustments and other economic benefits necessary to provide equal adjustments and benefits to employees employed in confidential positions which otherwise would be covered by this agreement; provided, that the personnel administrator, with the approval of the secretary of administration and finance, shall determine these adjustments and benefits for the confidential employees in accordance with the collective bargaining agreement then in effect which otherwise would cover these positions; provided further, that the secretary may transfer from the sum appropriated in this item to other items of appropriation and allocations thereof for fiscal year 2011 amounts that are necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a



transfer plan which shall be filed in advance with the house and senate committees on ways and means; and provided further, that any unexpended funds from this item shall not revert and shall be made available for expenditure until June 30, 2012 .....\$3,422,000

1599-4430 For a reserve to meet the fiscal year 2011 and 2012 costs of salary adjustments and other economic benefits authorized by the collective bargaining agreement between the commonwealth and NAGE local 229 .....\$1,300,000

#### EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

##### *Office of the Secretary of Health and Human Services*

4000-0114 For the purposes of establishing an EOHHS pilot program that would link increased training to modest pay increases in order to reduce turnover rates; provided, that EOHHS shall issue regulations for the administration and distribution of such funds and shall submit said regulations to the House and Senate Committees on Ways and Means .....\$1,000,000

4000-0265 For a primary care workforce development grant program at community health centers, for the purpose of enhancing recruitment and retention of primary care physicians and other clinicians at community health centers throughout the Commonwealth; provided, the grants shall be administered by a designee selected by the Secretary of Health and Human Services by December 1, 2011 in consultation with the General Court; provided, that in awarding such grants priority will be given to health centers serving medically underserved areas; provided further, that the funds may be matched by other public and private funds; and provided, further, that the

designee selected by the secretary shall maximize all sources of public and  
private funds ..... \$1,000,000

## EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

### *Department of Housing and Community Development*

7004-0002 For Friends of the Homeless in the city of Springfield to alleviate the increased  
caseload resulting from the June 1, 2011, storms.....\$100,000

## EXECUTIVE OFFICE OF EDUCATION

### *Department of Elementary and Secondary Education*

7052-0006 For grants and reimbursements to cities, towns, regional school districts and  
counties under chapter 645 of the acts of 1948 and chapter 70B of the  
General Laws, for (a) educational, engineering, and architectural services for  
school districts, (b) surveys made of school building needs and conditions,  
(c) matching stabilization fund payments, (d) costs of leasing buildings for  
vocational programs and originally equipping and furnishing said buildings  
for vocational programs, and (e) payments associated with admission to a  
regional school district ..... \$19,076

SECTION 2C.I. For the purpose of making available in fiscal year 2012 balances of  
appropriations which otherwise would revert on June 30, 2011, the unexpended balances of the  
maintenance appropriations listed below, not to exceed the amount specified below for each item,  
are hereby re-appropriated for the purposes of and subject to the conditions stated for the  
corresponding item in section 2 of the general appropriation act for fiscal year 2011. However,  
for items which do not appear in section 2 of the general appropriation act, the amounts in this  
section are re-appropriated for the purposes of and subject to the conditions stated for the  
corresponding item in section 2 or 2A of this act or in prior appropriation acts. Amounts in this

section are re-appropriated from the fund or funds designated for the corresponding item in section 2 of the general appropriation act; provided, however, that for items which do not appear in section 2 of the general appropriation act, the amounts in this section are re-appropriated from the fund or funds designated for the corresponding item in section 2 or 2A of this act or in prior appropriation acts. The sums re-appropriated in this section shall be in addition to any amounts available for said purposes including amounts appropriated in sections 2, 2A and 2E of this act.

## JUDICIARY

### *Committee for Public Counsel Services.*

0321-1510		\$7,807,455
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## TREASURER AND RECEIVER-GENERAL

### *Lottery Commission*

0640-0000		\$815,000
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## SHERIFFS

### *Essex Sheriff's Department*

8910-0619		\$21,578
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## EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

### *Office of the Secretary of Administration and Finance*

1100-1560		\$440,693
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1599-0016		\$110,000
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1599-4281		\$10,000
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1599-4282		\$10,000
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1599-4283		\$10,000
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1599-4284		\$10,000
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### *Department of Children and Families*

4800-0038		\$500,000
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4800-0041 ..... \$2,500,000

4800-1100 ..... \$2,000,000

*Massachusetts Commission for the Deaf and Hard of Hearing*

4125-0100 ..... \$90,000

**EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY**

*Office of the Secretary of Public Safety and Security*

8000-0600 ..... \$6,500

*Department of State Police*

8100-1001 ..... \$2,700,000

*Military Division*

8700-0001 ..... \$200,000

*Parole Board*

8950-0001 ..... \$500,000

**LEGISLATURE**

*Senate*

9500-0000 For the operation of the senate ..... \$490,971

*House of Representatives*

9600-0000 For the operation of the house of representatives ..... \$1,068,325

*Joint Legislative Expenses*

9700-0000 For the joint operations of the legislature ..... \$234,807

SECTION 2C.II. For the purpose of making available in fiscal year 2012 balances of retained revenue and intragovernmental chargeback authorizations which otherwise would revert on June 30, 2011, the unexpended balances of the authorizations listed below, not to exceed the amount specified below for each item, are hereby re-authorized for the purposes of and subject to the conditions stated for the corresponding item in section 2 or 2B of the general appropriation act for fiscal year 2009. However, for items which do not appear in section 2 or 2B of the general

appropriation act, the amounts in this section are re-authorized for the purposes of and subject to the conditions stated for the corresponding item in section 2, 2A, or 2B of this act or in prior appropriation acts. Amounts in this section are re-authorized from the fund or funds designated for the corresponding item in section 2 or 2B of the general appropriation act; however, for items which do not appear in section 2 or 2B of the general appropriation act, the amounts in this section are re-authorized from the fund or funds designated for the corresponding item in section 2, 2A, or 2B of this act or in prior appropriation acts. The sums re-authorized in this section shall be in addition to any amounts available for those purposes.

# EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

## *Office of the Secretary of Public Safety and Security*

8000-0004 ..... \$3,000,000

### *Municipal Police Training Committee*

8200-0222 ..... \$48,000

SECTION 2E. The sums set forth in this section are hereby appropriated for transfer from the General Fund to the trust funds named within each item unless specifically designated otherwise in this section, for the purposes and subject to the conditions specified in this section and subject to the laws regulating the disbursement of public funds for the fiscal year ending June 30, 2011. Items in this section shall not be subject to allotment under section 9B of chapter 29 of the General Laws or reduction under section 9C of said chapter 29, without express authorization from the general court. Notwithstanding section 19A of said chapter 29, any transfer under this section shall be made by the comptroller in accordance with a transfer schedule to be developed for each item by the comptroller, after consulting with the appropriate agency secretary, the secretary of administration and finance and the state treasurer. The schedule for each appropriation shall provide for transfers in increments considered appropriate to meet the cash flow needs of each fund and all transfers under the schedule shall be completed not later than June 30, 2011. Not later than 7 days after the schedules receive

final approval by the comptroller, they shall be reported to the house and senate committees on ways and means. Notwithstanding any general or special law to the contrary, appropriations made in section 2E shall not revert and shall be available for expenditure until June 30, 2012. Notwithstanding any general or special law to the contrary, appropriations made in section 2 shall not revert and shall be available for expenditure until June 30, 2010.

## OFFICE OF THE STATE COMPTROLLER

### *Office of the State Comptroller*

1595-6583	For an operating transfer to the Infrastructure Development Fund .....	\$37,950,000
1595-6585	For an operating transfer to the Low Income Housing Tax Credit Fund.....	\$9,500,000

## EXECUTIVE OFFICE OF EDUCATION

### *Department of Higher Education*

7066-0035	For the support of the science, technology, engineering, and mathematics grant fund established by section 2MMM of chapter 29 of the General Laws .....	\$500,000
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SECTION 3. To provide for supplementing certain items in the general appropriation act and other appropriation acts for fiscal year 2012, the sums set forth in section 3 are hereby appropriated from the General Fund unless specifically designated otherwise in this act or in those appropriation acts, for the several purposes and subject to the conditions specified in this act or in those appropriation acts, and subject to the laws regulating the disbursement of public funds for the fiscal year ending June 30, 2012. These sums shall be in addition to any amounts previously appropriated and made available for the purposes of those items.

## EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

### *Department of Developmental Services*

5920-2000	.....	\$5,000,000
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5920-3000 ..... \$5,500,000

*Department of Youth Services*

4200-0300 ..... \$1,600,000

EXECUTIVE OFFICE OF EDUCATION

*Department of Elementary and Secondary Education*

7035-0002 ..... \$3,000,000

SECTION 4. Chapter 7A of the General Laws is hereby amended by adding the following section: -

Section 19. (a) As used in this section the following words shall, unless the context clearly requires otherwise, have the following meanings:

“Debt”, a delinquent state tax or non-tax debt certified by the treasurer and receiver general or a federal non-tax debt certified by a federal official including, but not limited to, fines, fees, penalties and other non-tax assessments imposed by or payable to the commonwealth or federal government that are finally determined to be due and owing.

"Federal official", a unit or official of the federal government charged with the collection of non-tax liabilities payable to the federal government and with the authority to enter into the offset agreement.

“Offset agreement”, the agreement between the comptroller and the Secretary of the Treasury authorized by this section.

"Person", an individual, vendor, contractor, partnership, society, association, joint stock company, limited liability company, corporation, estate, receiver, trustee, assignee and any other person acting in a fiduciary or representative capacity whether appointed by a court or otherwise, or any combination of the foregoing.

“Refund”, an overpayment of any tax that is returned or credited to the taxpayer pursuant to sections 30, 31A, 36, 36A, 37 or 39 of chapter 62C, or sections 27 or 27A of chapter 65, or section 6 of chapter 65A or any other general or special law that authorizes such a return or credit.

"State payments", refunds and any vendor or contractor payments made by the commonwealth to any person, including expense reimbursements to an employee of the commonwealth, provided,

however, that "state payments" shall not include salary, wages, pension and any other type, class or amount of payment that the comptroller determines to impact health or welfare benefits of the citizens of the commonwealth.

(b) Notwithstanding any other general or special law to the contrary, the comptroller may enter into an offset agreement with the Secretary of the Treasury to participate in a reciprocal Treasury Offset Program pursuant to 31 U.S.C. section 3716 for the collection of any debts owed to the commonwealth or to state agencies from federal payments to vendors, contractors and taxpayers. The offset agreement may provide for the United States to submit non-tax debts owed to federal agencies for offset against state payments otherwise due and owing to taxpayers, vendors and contractors providing goods or services to the commonwealth, its departments, agencies or institutions.

(c) Pursuant to the offset agreement, a federal official may: (1) provide certification to the comptroller the existence of a person's delinquent, non-tax debt owed by the person to the federal government by providing: (i) the full name and address of the person and any other names known to be used by the person; (ii) the social security number or federal tax identification number; (iii) the amount of the federal non-tax debt; (iv) a statement certifying that the debt is past due, that due process has been provided and that the debt is legally enforceable in the amount certified, which may be provided in procedures for certifying payments in the agreement; and (v) any other information pursuant to the agreement; (2) request the comptroller to withhold any state payment to which the person is entitled; and (3) retain a portion of the proceeds of any federal administrative setoff authorized by the federal offset program.

(d) As permitted by the offset agreement, the comptroller shall: (1) determine if a person for whom a certification is received is due a state payment; (2) withhold a state payment that is due a person whose name has been certified by a federal official; (3) notify the person of the amount withheld in satisfaction of a debt certified by a federal official; (4) pay to the federal official the lesser of the entire state payment or the amount certified and pay any refund or state payment in excess of the certified amount to the person less any fee pursuant to subsection (f);

(e) The comptroller may certify to a federal official a person's delinquent debt owed to the commonwealth by providing the federal official: (1) the full name and address of the person and any other names known to be used by the person; (2) the social security number or federal tax identification number; (3) the amount of the liability; (4) a statement certifying that the debt is past due, that due process has been provided and that the debt is legally enforceable in the amount certified, which may be provided in procedures for certifying payments in the agreement; and (5)



Any other information required by state statute or regulation applicable to the collection of the debt by offset of federal payments.

(f) The comptroller may request that the federal official withhold any federal vendor or other federal payment pursuant to the offset agreement to which the person is entitled the entire federal payment or the amount certified and pay any refund or federal payment in excess of the certified amount to the person less any fee pursuant to subsection (g);

(g) The comptroller shall establish a reasonable administrative fee to be charged to the person for the provision of the state offset of a federal debt or the federal offset of a state debt. The fee is a separate debt and may be withheld from any refund, reimbursement or other monies held for the person. The comptroller may charge the person who is the subject of federal offset of a state debt, a fee equal to the fee authorized in this paragraph. Any state administrative fees may be retained by the comptroller, without further appropriation, for the costs of the offset program, including reporting, and for costs associated with other revenue generation and cost savings initiatives as determined by the comptroller.

(h) The comptroller may enter into interagency agreements with other state agencies for the purpose of protecting a person's return information pursuant to chapter 62C and regulations promulgated thereunder and collecting debts, fees and penalties due the commonwealth, its departments, agencies or institutions.

(i) If an individual filed a joint income tax return and the debt certified by a federal official is not the liability of both parties to the joint income tax return, the comptroller may not withhold or pay to the federal official that portion of the income tax refund attributable to the individual not owing the debt. The comptroller and the commissioner of revenue shall adopt procedures notifying parties to a joint income tax return of a proposed offset of a state income tax refund for a debt certified by a federal official and shall allow the parties to such return 60 days to assert in writing that a portion of the income tax refund is attributable to the individual not owing the debt. If no such assertion by a party to the joint return is made within 60 days of notice, all of the income tax refund shall be deemed attributable to the individual owing the debt.

SECTION 5. Subsection (a) of section 2RR of chapter 29 of the General Laws, as amended by section 93 of chapter 3 of the acts of 2011, is hereby further amended by adding the following sentence:- For the purpose of accommodating discrepancies between the receipt of revenues and related expenditures, the director of career services may incur obligations and the comptroller may certify payment amounts not to exceed the most recent revenue estimate submitted by the

department and approved by the comptroller; provided, however, that the fund shall be in balance by the close of each fiscal year.

SECTION 6. Section 32 of chapter 29 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking out the first and second sentences and inserting in place thereof the following 2 sentences:- Any check issued by the state treasurer or by any agent or agency of the commonwealth, other than checks issued in payment of obligations of the state board of retirement, the teachers' retirement board and the MassHealth program, which is not presented for payment within 1 year after its date, shall be payable only at the office of the state treasurer. Any check issued on behalf of the MassHealth program, which is not presented for payment within 180 days after its date, shall be payable only at the office of the state treasurer.

SECTION 7. Section 2 of chapter 30A of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking out the fourth paragraph and inserting in place thereof the following paragraph:-

A small business impact statement shall be filed with the state secretary on the same day the notice is filed and shall accompany the notice. Notwithstanding section 6, the state secretary shall include the small business impact statement on the electronic website of the state secretary, and the statement may be inspected and copied in the office of the state secretary during business hours.

SECTION 8. Section 3 of said chapter 30A of the General Laws, as so appearing, is hereby amended by striking out the fourth paragraph and inserting in place thereof the following paragraph:-

A small business impact statement shall be filed with the state secretary on the same day the notice is filed and shall accompany the notice. Notwithstanding section 6, the state secretary shall include the small business impact statement on the electronic website of the state secretary, and the statement may be inspected and copied in the office of the state secretary during business hours.

SECTION 9. Section 108L of chapter 41 of the General Laws, as so appearing, is hereby amended by striking out, in lines 3 to 5, the words “, uniformed members of the department of

state police appointed under said section ten, state police detectives appointed under section ten of said chapter twenty-two C”.

SECTION 10. The fifth paragraph of said section 108L of said chapter 41, as so appearing, is hereby amended by striking out the third sentence.

SECTION 11. Section 6I of chapter 62 of the General Laws, as so appearing, is hereby amended by striking out, in line 54, the figure “\$10,000,000” and inserting in place thereof the following figure:- \$20,000,000.

SECTION 12. Said section 6I of said chapter 62, as so appearing, is hereby further amended by striking out the figure “\$20,000,000”, inserted by section 10, and inserting in place thereof the following figure:- \$10,000,000.

SECTION 13. Section 1 of chapter 62D of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after the figure “29”, in line 29, the following words:- , or any federal agency as certified by a federal official to the comptroller pursuant to section 19 of chapter 7A.

SECTION 14. Section 13 of said chapter 62D of the General Laws, as so appearing, is hereby amended by inserting after the figure “29”, in line 15, the following words:- , or any federal agency as certified by a federal official to the comptroller pursuant to section 19 of chapter 7A.

SECTION 15. Section 31H of chapter 63 of the General Laws, as so appearing, is hereby amended by striking out, in line 56, the figure “\$10,000,000” and inserting in place thereof the following figure:- \$20,000,000.

SECTION 16. Said 31H of said chapter 63, as so appearing, is hereby further amended by striking out the figure “\$20,000,000”, inserted by section 14, and inserting in place thereof the following figure:- \$10,000,000.

SECTION 17. Section 92 of chapter 71 of the General Laws is hereby amended by striking out subsection (r), added by section 74 of chapter 68 of the acts of 2011.

SECTION 18. Section 35 of chapter 123 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking out the fourth paragraph and inserting in place thereof the following paragraph:-

If, after a hearing, the court based upon competent testimony, which shall include, but not be limited to, medical testimony, finds that a person is an alcoholic or substance abuser and there is a likelihood of serious harm as a result of a person's alcoholism or substance abuse, the court may order such person to be committed for a period not to exceed 30 days; provided, however, that if, after a hearing, the court finds that a person is a substance abuser, who is addicted to 1 or more controlled substances including, but not limited to, heroin, OxyContin, hydrocodone, oxycodone, crack cocaine, methamphetamine or other controlled substance having an addiction-forming or addiction-sustaining liability, the court, in its discretion, may order such person to be committed for a period not to exceed 90 days, followed by 1 year of case management. During a person's commitment they may voluntarily discuss their path to addiction, including but not limited to prescription drug abuse. Such commitment shall be for inpatient care in public or private facilities approved by the department of public health under chapter 111B for the care and treatment of alcoholism or substance abuse. The person may be committed to the Massachusetts correctional institution at Bridgewater, if a male, or at Framingham, if a female, provided that there are not suitable facilities available under said chapter; and provided, further, that the person so committed shall be housed and treated separately from convicted criminals. A person so committed may be released prior to the expiration of the period of commitment upon written determination by the superintendent that release of said person will not result in a likelihood of serious harm. Such written determination by the superintendent shall contain the reasons for the superintendent's decision to release said person and shall be signed and dated by the superintendent. Said person shall be encouraged to consent to further treatment and shall be allowed voluntarily to remain in the facility for such purposes. The department of mental health, in conjunction with the department of public health, shall maintain a roster of public and private facilities available, together with the number of beds currently available, for the care and treatment of alcoholism or substance abuse and shall make it available to the district courts of the commonwealth on a monthly basis.

SECTION 19. Section 1 of chapter 176J of the General Laws, as so appearing, is hereby amended by striking out the definition of "Eligible individual" and inserting in place thereof the following definition:-

“Eligible individual,” an individual who is a resident of the commonwealth and who is not seeking individual coverage to replace an employment-based health plan for which the individual or individual’s qualified dependent is eligible, which provides coverage that is at least actuarially equivalent to minimum creditable coverage; provided, however, that any person enrolled in an individual health benefit plan before September 30, 2011 shall be considered an eligible individual so long as such person continues to be a resident of the commonwealth and maintains enrollment in an individual health benefit plan.

SECTION 20. The first paragraph of subsection (d) of section 6 of chapter 176J of the General Laws, as so appearing, is hereby amended by adding the following sentence:-

The commissioner shall have discretion to apply waivers to the presumptive disapproval process requirements under this section to carriers who receive 80 per cent or more of their income from government programs.

SECTION 21. The last paragraph of subsection (a) of section 11 of chapter 176J of the General Laws, as so appearing, is hereby amended by adding the following sentence:-

The commissioner shall have discretion to apply waivers to the 12 per cent requirement under this section to carriers who receive 80 per cent or more of their income from government programs.

SECTION 22. Subsection (c) of section 2A of chapter 211D of the General Laws, as appearing in section 112 of chapter 68 of the acts of 2011, is hereby amended by adding the following paragraph:-

Upon request by the department of children and families, the commissioner of probation shall provide to the department a copy of a person’s indigency intake form, final assessment of financial circumstances, and any report certifying that the person either continues to meet or no longer meets the definition of indigency prepared by the chief probation officer in accordance with this section. The department shall use these forms and reports for the purpose of completing eligibility determinations under Title IV-E of the Social Security Act and for no other purpose. The commissioner of probation and the commissioner of children and families shall jointly determine the process by which the department of children and families shall obtain and maintain these forms and reports. The department of children and families shall not make, and shall prohibit, any dissemination of such information for any purpose other than those set forth in this paragraph.

SECTION 23. The last paragraph of chapter 2 of the resolves of 2010 is hereby amended by striking out the words "September 28, 2011" and inserting in place thereof the following words:- January 31, 2012.

SECTION 24. Chapter 192 of the acts of 2007 is hereby amended by striking out sections 5 to 11, inclusive, and inserting in place thereof the following 4 sections:-

Section 5. As used in sections 5 to 11, inclusive, the following words shall, unless the context clearly requires otherwise, have the following meanings:-

"Corps members", individuals who commit to service in the commonwealth corps pursuant to this act.

"Corps projects", programs established pursuant to this act to satisfy unmet community needs.

"Corps sponsors", non-profit and public entities that participate in corps projects.

"Massachusetts Service Alliance," or "MSA", the non-profit organization which administers the commonwealth corps program.

"Unmet community needs", needs including, but not limited to, those pertaining to education, public health, public safety, the environment and other human needs in underserved populations and areas in the commonwealth.

Section 6. (a) Subject to the receipt of adequate funding by the commonwealth or other sources, there shall be a commonwealth corps.

(b) The commonwealth corps shall be composed of corps members who will commit to no more than 12 months of full-time, part-time or flex-time service to the commonwealth to address unmet community needs.

(c) Corps members shall be residents of the commonwealth who are at least 18 years of age. Members shall be the responsibility of the corps sponsors with support from the MSA. Corps members shall undertake meaningful service projects addressing unmet community needs in areas including, but not limited to, the environment, education, health and basic human services and may serve full or part-time; but, members having direct contact with minor children or vulnerable adults shall be required to pass a background check.

(d) The MSA and the corps sponsors shall, to the extent practicable, ensure that corps members are placed with corps projects that match their interests, geographic constraints, skills and abilities. Corps sponsors may enroll individuals who choose to defer a stipend to serve as a

corps member. Corps sponsors shall seek to enroll individuals who are economically, geographically, ethnically, socially, physically or educationally diverse.

(e) A corps member shall not be subject to chapter 31 or section 9A of chapter 30. Corps members shall not be considered to be an employee of the commonwealth entitled to the benefit of chapter 152, nor shall a corps member be considered to be an employee of the commonwealth for any other purpose.

Section 7. (a) The MSA shall administer the commonwealth corps and in so doing shall: (1) provide the personnel necessary to carry out the purposes of this chapter; (2) recruit corps sponsors; (3) coordinate among agencies of the commonwealth and other organizations using community service and volunteerism as a strategy to assist in the solution of local, regional and statewide problems; (4) initiate studies and analyses of proposed and implemented service and volunteer projects, which will aid in solving local, regional and statewide problems; (5) recommend expansion of corps opportunities to address all community needs, such as education, environment, public safety, public health and employment and training; (6) encourage the corporate community of the commonwealth to become an active partner in the support, advocacy and promotion of community service and volunteer opportunities in the commonwealth; (7) develop a grant application and selection process using the criteria set forth in subsection (b) for non-profit organizations and public entities, including schools and educational institutions, seeking to participate in the commonwealth corps; (8) review grant applications from non-profit organizations and public entities, including schools and educational institutions and selecting grant awardees; (9) establish criteria and procedures for recruiting residents of the commonwealth who are 18 years or older to serve as corps members; (10) establish procedures for matching and placing corps members with corps projects; (11) establish personnel policies and procedures for corps members; (12) determine the appropriate financial match support levels by private business, community groups, foundations, public agencies and individuals; (13) assist corps sponsors in the development of scholarships and matching funds from private businesses, community groups, foundations, public agencies and individuals in order to support a portion of a corps member's stipend and benefits; and (14) monitor corps members and corps sponsors for compliance with all state and federal laws and funding agreements.

(b) The MSA shall give projects meeting the following criteria preference: (1) projects addressing a well-established unmet community need; (2) projects articulating measurable goals, including an assessment of the impact on the corps members and on the targeted community; (3) projects providing services to communities and organizations throughout the commonwealth; (4) projects

not using corps members to replace previously budgeted positions or to reduce overtime, hours of work or opportunities for advancement for employees or members of corps sponsors; and (5) projects falling within 1 or both of the following categories: (i) direct service projects that give corps members opportunities to provide direct services addressing unmet community needs including, but not limited to, tutoring or mentoring, providing health care education, providing services to the homeless, enhancing historic, cultural, and natural resources of the commonwealth, enhancing environmental restoration, enhancing emergency preparedness and response; or (ii) volunteer-generating projects that give corps members the opportunity to recruit, train and support volunteers to participate in civic projects and to meet unmet community needs.

Section 8. The MSA shall file with the governor, on or before January 1 and on or before July 1 of each year, a report, which shall include but not be limited to the following: (1) a financial statement summarizing its expenditures and available funds; (2) the number of projects and proposed placements submitted to it; (3) the number of volunteers assigned to corps sponsors; (4) the number of hours served by corps members; (5) the number of beneficiaries served by corps projects; (6) a description of corps projects and a summary of the work completed; (7) a measure of outputs and outcomes; and (8) information on other pertinent service data as may be determined by the governor.

SECTION 25. Section 2 of chapter 131 of the acts of 2010 is hereby amended by striking out the figure “0340-0101” and inserting in place thereof the following figure:- 0340-0198.

SECTION 26. Said section 2 of said chapter 131 is hereby further amended by striking out the figure “0340-0201” and inserting in place thereof the following figure:-0340-0298.

SECTION 27. Said section 2 of said chapter 131 is hereby further amended by striking out the figure “0340-0301” and inserting in place thereof the following figure:- 0340-0398.

SECTION 28. Said section 2 of said chapter 131 is hereby further amended by striking out the figure “0340-0401” and inserting in place thereof the following figure:- 0340-0498.

SECTION 29. Said section 2 of said chapter 131 is hereby further amended by striking out the figure “0340-0501” and inserting in place thereof the following figure:- 0340-0598.



SECTION 30. Said section 2 of said chapter 131 is hereby further amended by striking out the figure “0340-0601” and inserting in place thereof the following figure:-0340-0698.

SECTION 31. Said section 2 of said chapter 131 is hereby further amended by striking out the figure “0340-0701” and inserting in place thereof the following figure:- 0340-0798.

SECTION 32. Said section 2 of said chapter 131 is hereby further amended by striking out the figure “0340-0801” and inserting in place thereof the following figure:- 0340-0898.

SECTION 33. Said section 2 of said chapter 131 is hereby further amended by striking out the figure “0340-0901” and inserting in place thereof the following figure:- 0340-0998.

SECTION 34. Said section 2 of said chapter 131 is hereby further amended by striking out the figure “0340-1001” and inserting in place thereof the following figure:- 0340-1098.

SECTION 35. Said section 2 of said chapter 131 is hereby further amended by striking out the figure “0340-1101” and inserting in place thereof the following figure:- 0340-1198.

SECTION 36. Said section 2 of said chapter 131 is hereby further amended by striking out the figure “0699-0016” and inserting in place thereof the following figure:- 0699-0014.

SECTION 37. Said section 2 of said chapter 131 is hereby further amended by striking out the figure “0699-2004” and inserting in place thereof the following figure:- 0699-2005.

SECTION 38. Said section 2 of said chapter 131 is hereby further amended by striking out the figure “0810-0007” and inserting in place thereof the following figure:- 0810-0098.

SECTION 39. Said section 2 of said chapter 131 is hereby further amended by striking out the figure “8000-0000” and inserting in place thereof the following figure:- 8000-0600.

SECTION 40. Said section 2 of said chapter 131 is hereby further amended by striking out the figure “8100-0000” and inserting in place thereof the following figure:- 8100-1001.

SECTION 41. Said section 2 of said chapter 131 is hereby further amended by striking out the figure “8100-0011” and inserting in place thereof the following figure:- 8100-0018.

SECTION 42. Item 8910-8310 of said section 2 of said chapter 131 is hereby amended by striking out the figure "\$8,460,000", inserted by section 39B of chapter 9 of the acts of 2011, wherever it appears, and inserting in place thereof in each instance the following figure:-  
\$9,955,000

SECTION 43. Subsection (a) of section 32A of chapter 288 of the acts of 2010, as inserted by section 103 of chapter 359 of the acts of 2010, is hereby amended by adding at the end thereof the following sentence:-

The commissioner shall have discretion to apply waivers to the 12 per cent requirement under this section to carriers who receive 80 per cent or more of its income from government programs.

SECTION 44. Section 34 of chapter 409 of the acts of 2010 is hereby amended by striking out the figure “2011” and inserting in place thereof the following figure:- 2012.

SECTION 45. Section 2 of chapter 68 of the acts of 2011 is hereby amended by striking out the figure “0340-0101” and inserting in place thereof the following figure:- 0340-0198.

SECTION 46. Said section 2 of said chapter 68 is hereby further amended by striking out the figure “0340-0201” and inserting in place thereof the following figure:-0340-0298.

SECTION 47. Said section 2 of said chapter 68 is hereby further amended by striking out the figure “0340-0301” and inserting in place thereof the following figure:- 0340-0398.

SECTION 48. Said section 2 of said chapter 68 is hereby further amended by striking out the figure “0340-0401” and inserting in place thereof the following figure:- 0340-0498.

SECTION 49. Said section 2 of said chapter 68 is hereby further amended by striking out the figure “0340-0501” and inserting in place thereof the following figure:- 0340-0598.

SECTION 50. Said section 2 of said chapter 68 is hereby further amended by striking out the figure “0340-0601” and inserting in place thereof the following figure:-0340-0698.

SECTION 51. Said section 2 of said chapter 68 is hereby further amended by striking out the figure “0340-0701” and inserting in place thereof the following figure:- 0340-0798.

SECTION 52. Said section 2 of said chapter 68 is hereby further amended by striking out the figure “0340-0801” and inserting in place thereof the following figure:- 0340-0898.

SECTION 53. Said section 2 of said chapter 68 is hereby further amended by striking out the figure “0340-0901” and inserting in place thereof the following figure:- 0340-0998.

SECTION 54. Said section 2 of said chapter 68 is hereby further amended by striking out the figure “0340-1001” and inserting in place thereof the following figure:- 0340-1098.

SECTION 55. Said section 2 of said chapter 68 is hereby further amended by striking out the figure “0340-1101” and inserting in place thereof the following figure:- 0340-1198.

SECTION 56. Said section 2 of said chapter 68 is hereby further amended by striking out the figure “0699-0016” and inserting in place thereof the following figure:- 0699-0014.

SECTION 57. Said section 2 of said chapter 68 is hereby further amended by striking out the figure “0699-2004” and inserting in place thereof the following figure:- 0699-2005.

SECTION 58. Said section 2 of said chapter 68 is hereby further amended by striking out the figure “0810-0007” and inserting in place thereof the following figure:- 0810-0098.

SECTION 59. Said section 2 of said chapter 68 is hereby further amended by striking out the figure “8000-0000” and inserting in place thereof the following figure:- 8000-0600.

SECTION 60. Said section 2 of said chapter 68 is hereby further amended by striking out the figure “8100-0000” and inserting in place thereof the following figure:- 8100-1001.

SECTION 61. Said section 2 of said chapter 68 is hereby further amended by striking out the figure “8100-0011” and inserting in place thereof the following figure:- 8100-0018.

SECTION 62. Item 0330-0300 of said section 2 of said chapter 68 is hereby amended by striking out the words “ the chief justice for administration and management shall submit a report to the joint committee on the judiciary and the house and senate committees on ways and means 90 days prior to the temporary closure or temporary relocation of courthouses; provided further, that said report shall include, but not be limited to, the transfer of personnel, the reallocation of resources, the impact on other courthouses resulting from the temporary closure of said court and other factors that may affect implementation of said temporary closure;” and inserting in place thereof the following words:- no courthouse shall be closed, nor any session within a courthouse, and no proposed courthouse or session closure by the chief justice for administration and management of the trial court shall take effect until such closure is approved by the court administrator; provided, however, that prior to any such closure the court administrator appointed pursuant to chapter 211B of the general laws shall file with the joint committee on the judiciary, the house and senate committees on ways and means, and the clerks of the house and senate 90 days prior to the temporary closure or temporary relocation of courthouses or sessions a plan to close certain courthouses or certain sessions which shall include the specific reasons for such closure, the cost savings, a plan to provide services to citizens affected by such closure; the transfer of personnel, the reallocation of resources, the impact on other courthouses resulting from the temporary closure of said court or session and other factors that may affect implementation of any closure.

SECTION 63. Item 0332-0100 of said section 2 of said chapter 68 is hereby amended by striking out the words:- “\$33,750,000 may be expended from fees charged and collected pursuant to section 3 of chapter 90C of the General Laws, section 22 of chapter 218 of the General Laws, sections 2, 4A, 4B, 4C, 39 and 40 of chapter 262 of the General Laws and section 87A of chapter 276 of the General Laws; provided further, that the first \$34,350,000” and inserting in place thereof the following words:- \$30,750,000 may be expended from fees charged and collected pursuant to section 3 of chapter 90C of the General Laws, section 22 of chapter 218 of the General Laws, sections 2, 4A, 4B, 4C, 39 and 40 of chapter 262 of the General Laws and section 87A of chapter 276 of the General Laws; provided further, that the first \$26,350,000.

SECTION 64. Item 0333-0002 of said section 2 of said chapter 68 is hereby amended by striking out the figure “\$7,000,000” and inserting in place thereof the following figure:- \$9,000,000.

SECTION 65. Item 0334-0001 of said section 2 of said chapter 68 is hereby amended by striking out the figure “\$1,100,000” and inserting in place thereof the following figure:- \$2,100,000.

SECTION 66. Item 0337-0002 of said section 2 of said chapter 68 is hereby amended by striking out the words “that in fiscal year 2012 the department shall proportionately reduce the amount allocated to the CASA programs as appearing in items 0337-0300, 0337-0400, 0337-0600, 0337-0700, and 0337-0900 of section 2 of chapter 182 of the acts of 2008” and inserting in place thereof the following words:- the department shall expend funds for the CASA programs as appearing in items 0337-0300, 0337-0400, 0337-0600, 0337-0700, and 0337-0900 of section 2 of chapter 182 of the acts of 2008, provided, however, that the department may reduce funding to each item by not more than 50 per cent.

SECTION 67. Item 0640-0010 of said section 2 of said chapter 68 is hereby amended by inserting after the words “state lottery program” the following words:- provided further, that not more than \$200,000 may be expended for programs that promote the treatment of compulsive gambling.

SECTION 68. Section 2 of said chapter 68 is further amended by striking out item 1750-0105 and inserting in place thereof the following item:-

1750-0105 For the cost of workers’ compensation paid to public employees; provided, that the secretary of administration and finance shall charge other items or state agencies for costs incurred on behalf of these state agencies; provided further, that the secretary may transfer workers’ compensation-related fringe benefit assessments from federal grants and trust accounts to this item; provided further, that no funds shall be expended from this item that would cause the item to be deficient; provided further, that the secretary shall provide projected costs of workers compensation costs incurred by agencies in fiscal year 2012 to the house and senate committees on ways and means no later than March 2, 2012; provided further, that in accordance with chapter 177 of the acts of 2001, the secretary of administration and finance shall charge state agencies in fiscal year 2012 as provided in this item for

workers' compensation costs, including related administrative expenses incurred on behalf of the employees of the agencies; provided further, that administrative expenses shall be allocated; provided further, that the personnel administrator shall administer the charges on behalf of the secretary, and may establish such rules and procedures as deemed necessary to implement this item; provided further, that the personnel administrator shall: (1) notify agencies regarding the chargeback methodology to be used in fiscal year 2012; (2) notify agencies of the amount of their estimated workers compensation charges for the fiscal year; and (3) require agencies to encumber funds in an amount sufficient to meet the estimated charges; provided further, that the estimated charges for each agency in the fiscal year shall be not less than the amount of the actual workers' compensation costs, including related administrative expenses, incurred by each such agency in fiscal year 2012 and may include such additional amounts as the human resources division finds necessary under regulations adopted under this item; provided further, that the division may adopt a program of incentives for agencies to reduce agencies' claims; provided further, that for any agency that fails within 30 days of the effective date of this act to encumber funds sufficient to meet the estimated charges, the comptroller shall so encumber funds on behalf of that agency; provided further, that the personnel administrator shall: (1) determine the amount of the actual workers' compensation costs incurred by each agency in the preceding month, including related administrative expenses; (2) notify each agency of the amounts; and (3) charge the amounts to each agency's accounts as estimates of the costs to be incurred in the current month; provided further, that notwithstanding any general or special law to the contrary, any balance remaining in the Intergovernmental Service Fund, at the close of fiscal year 2012 shall be transferred to the General Fund; provided further, that any unspent balance at the close of fiscal year 2011 in an amount not to exceed 5 per cent of the amount authorized shall remain in the Intergovernmental Service Fund and is hereby re-authorized for expenditures for such item in fiscal year 2012; provided further, that the personnel administrator may expend in fiscal year 2012 for hospital, physician, benefit, and other costs related to workers' compensation for employees of state agencies, including

administrative expenses; and provided further, that such expenditures may include payments for medical services provided to claimants in prior fiscal years, as well as compensation benefits and associated costs for prior fiscal years ....\$57,040,378

SECTION 69. Item 1750-0102 of said section 2 of said chapter 68 is hereby amended by striking out the figure “\$2,056,966”, each time it appears, and inserting in place thereof, in each instance, the following figure:- \$2,700,000.

SECTION 70. Item 3000-7050 of said section 2 of said chapter 68 is hereby amended by inserting after the words “individualized education plans” the following words:- ; and provided further that \$200,000 shall be expended for the purpose of developing and implementing a kindergarten readiness assessment system that shall use evidence-based formative assessment tools to measure the developmental status, age-appropriate progress, and school readiness of each child in kindergarten including those with high needs, inform classroom teaching practices, and identify key areas for intervention; provided further that the kindergarten readiness assessment system shall be aligned with Massachusetts’ learning standards and curriculum guidelines; provided further, that the kindergarten readiness assessment system shall be a component of the Commonwealth’s early learning and development assessment system that measures children’s growth across all developmental domains from pre-kindergarten entry through second grade as part of the statewide longitudinal data system.

SECTION 71. Item 4000-0300 of said section 2 of said chapter 68 is hereby amended by adding the following words:- ; and provided further, that funds may be expended for the purposes of implementing the federal Systematic Alien Verification for Entitlements, or SAVE, system.

SECTION 72. Said section 2 of said chapter 68 is hereby further amended by striking out item 4100-0059.

SECTION 73. Item 4100-0060 of said section 2 of said chapter 68 is hereby amended by striking out the words “between July 1, 2011 and December 31, 2011”.

SECTION 74. Said item 4100-0060 of said section 2 of said chapter 68 is hereby further amended by striking out the figure “\$10,578,754” and inserting in place thereof the following figure:- \$21,157,507.

SECTION 75. Said item 4100-0060 of said section 2 of said chapter 68 is hereby further amended by striking out the words “one-half” in lines 10 and 24, each time it appears.

SECTION 76. Said item 4100-0060 of said section 2 of said chapter 68 is hereby further amended by striking out the words “provided further, that the division and executive office may consult with hospitals regarding such transition” and inserting in place thereof the following words:- provided further, that the division and the executive office shall consult with the Massachusetts Hospital Association, Inc. and hospitals regarding such transition; provided further, that prior to the implementation of the transition, the division and the executive office shall (1) perform parallel and round-trip claims processing tests with hospitals to ensure that the MMIS system performs effectively compared to the existing health and safety net claims adjudication system and (2) report on the detailed results of said claims processing tests to the house and senate committees on ways and means.

SECTION 77. Item 7035-0006 of section 2 of chapter 68 of the acts of 2011 is hereby amended by adding after the word “item” the following clause:- ; provided further that funds may be expended to reimburse municipalities for the cost of transporting students under section 7C of chapter 74 of the General Laws.

SECTION 78. Item 7066-0025 of section 2 of chapter 68 of the acts of 2011 is hereby amended by adding the following words:- ; and provided further, that funds from this item may be expended through August 31, 2012.

SECTION 79. Said section 2 of said chapter 68 is hereby amended by striking out item 8100-0011 and inserting in place thereof the following item:-

8100-0011 For the department of state police, which may expend an amount not to exceed \$4,100,000 for certain police activities provided pursuant to agreements authorized in this item; provided, that for fiscal year 2012, the colonel of state police may enter into service agreements with the commanding officer or other person in charge of a military reservation of the United



States located in the Massachusetts Development Finance Agency, established in chapter 23G of the General Laws; provided further, that such agreements shall establish the responsibilities pertaining to the operation and maintenance of police services including, but not limited to: (a) provisions governing payment to the department for the cost of regular salaries, overtime, retirement, and other employee benefits; and (b) provisions governing payment to the department for the cost of furnishings and equipment necessary to provide such police services; provided further, that the department may charge any recipients of police services for the cost of such services, as authorized by this item; provided further, that the department may retain the revenue so received and expend such revenue as necessary pursuant to this item to provide the agreed level of services; provided further, that the colonel may enter into service agreements as may be necessary to enhance the protection of persons, as well as assets and infrastructure located within the commonwealth, from possible external threat or activity; provided further, that such agreements shall establish the responsibilities pertaining to the operation and maintenance of police services including, but not limited to: (a) provisions governing payment to the department for the cost of regular salaries, overtime, retirement, and other employee benefits; and (b) provisions governing payment to the department for the cost of training and /or equipment necessary to provide such police services; provided further, that the department may charge any recipients of police services for the cost of such services, as authorized by this item; provided further, that the department may retain the revenue so received and expend such revenue as necessary pursuant to this item to provide the agreed level of services; provided further, that the colonel may expend from this item costs associated with joint federal and state law enforcement activities from federal reimbursements received therefore; and provided further, that notwithstanding any general or special law to the contrary, for the purposes of accommodating discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system ..... \$4,100,000.

SECTION 80. Said section 2 of said chapter 68 is hereby further amended by striking out item 8100-0515 and inserting in place thereof the following item:-

8100-0515      For trainee salary, salary-related and medical expenses, including mental and medical health screening, and for the operating and clerical costs associated with the

Massachusetts State Police Academy for the purpose of hiring and training state police recruits to maintain the strength of the department of state police.....\$2,000,000

SECTION 81. Item 8900-0010 of said section 2 of said chapter 68 is hereby amended by striking out the words “amounts collected” and inserting in place thereof the following words:- to the comptroller the amounts to be transferred from the Commonwealth Transportation Fund to the department of correction revenue source 9000.

SECTION 82. Section 190 of said chapter 68 is hereby amended by striking out the words “the secretary of education, or a designee thereof” and inserting in place thereof the following words:- the secretary of education, who shall serve as chair.

SECTION 83. Section 198 of said chapter 68 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:-

Notwithstanding any general or special law to the contrary, 50 per cent of any of the unexpended and unencumbered balances of appropriations on June 30, 2011, or \$65,000,000, whichever is less, shall be distributed to cities and towns in proportion to the amount by which each municipality’s Unrestricted General Government Aid in fiscal year 2011 exceeds such aid in fiscal year 2012.

SECTION 84. The executive office of health and human service shall provide to each beneficiary age 65 and over a one-time notice of options available for enrollment in voluntary programs including Program of All Inclusive Care for the Elderly plans, MassHealth Senior Care Options, Frail Elder Home and Community Based Waiver Program and any other voluntary elected benefit to which the beneficiary is entitled to supplement or replace such beneficiary’s MassHealth benefits. The executive office shall include in the notice the names and contact information for the program providers, general contact information for the division and a general description of the benefits of joining particular programs. The notice shall be written in clear and simple language and shall include instructions for requesting a copy of such notice in a language other than English. The notice shall include a method for the beneficiary to request from the executive office additional information on any program described in the notice. Before the content and format of the annual notice is finalized, the executive office shall forward the proposed draft for review and comment to the program providers. The executive office shall work with the program providers and other appropriate stakeholders to assess whether, and to what extent, barriers to

program enrollment shall be alleviated through modifications to the program or the enrollment process.

SECTION 85. Notwithstanding any general or special law to the contrary, at the request of the committee for public counsel services, with written approval of the secretary of administration and finance, the comptroller shall allow the transfer of funds at any time from item 0321-1510 to item 0321-1520 for the purpose of reducing any deficiency in the latter appropriation. All such transfers, in aggregate, shall not exceed \$3,200,000 and shall be effective for fiscal year 2011.

SECTION 86. Notwithstanding any general or special law to the contrary, any unexpended funding made available under item 7003-0701 of section 2 of chapter 131 of the acts of 2010 shall not revert, but shall remain available for expenditure from the Workforce Training Trust Fund, established by section 2RR of chapter 29 of the General Laws.

SECTION 87. Notwithstanding any general or special law to the contrary, the budget director for the executive office of administration and finance may waive up to \$86,000 in costs that would otherwise be collected by the state comptroller from the Massachusetts developmental disabilities council under sections 5D and 6B of chapter 29 of the General Laws. The waiver shall be in writing and the budget director shall provide copies to the house and senate committees on ways and means. The waiver shall be solely for the purpose of state match funding for federal grant awards received from the National Association of Councils on Developmental Disabilities. The waiver shall be effective until June 30, 2012.

SECTION 88. There shall be established and set up on the books of the commonwealth a fund to be known as the state low income housing tax credit fund. The commissioner of revenue shall serve as the fund's trustee. Funds made available for this fund shall only be used for the purpose of offsetting General Fund costs associated with the state low income housing tax credit claimed annually by eligible taxpayers in the commonwealth. By June 30 of every fiscal year during which this fund is effective, the commissioner shall determine the projected costs to the state of the state low income housing tax credit within the fiscal year and request that the comptroller transfer funding from the fund to the General Fund in an amount not to exceed the projected costs, but no such transfer shall be processed without the written approval of the secretary of administration and finance. The aggregate amount of transferred funds for all fiscal year during which the fund is effective shall not exceed \$9,500,000. The fund shall remain in effect until June 30, 2014.

SECTION 89. There shall be established and set up on the books of the commonwealth a fund to be known as the Infrastructure Development Fund. The secretary of housing and economic development shall serve as the fund's trustee. The fund is created for purpose of creating jobs and stimulating economic development in the commonwealth through infrastructure-related investments made by the secretary of housing and economic development in consultation with the secretary of transportation. Allowable purposes of this fund shall include shovel-ready infrastructure projects including, but not limited to, transit and highway projects, business expansion and redevelopment use and other related projects found by the secretary of housing and economic development to create economic opportunity and jobs both directly and indirectly across the state. All projects listed herein must be under contract within 90 days of the effective date of this act and must commence construction in the spring of 2012. Funds may be used by the secretary of housing and economic development to support matching funds for certain capital expenditures which are sponsored by higher education institutions for scientific or technology research and development. No funds shall be expended from this fund, including any spending by the secretary of housing and economic development for the oversight of the fund, without the written approval of the secretary of administration and finance. This fund shall remain in effect until June 30, 2013.

Projects that are eligible under this fund include, up to \$5,000,000 for infrastructure supporting downtown redevelopment in the city of Quincy; up to \$1,250,000 for Main Street streetscape improvements in the town of Bourne; up to \$3,000,000 for infrastructure to support the redevelopment of the Dever School in the city of Taunton; up to \$2,000,000 for the Acushnet Avenue International Marketplace in the city of New Bedford; up to \$1,200,000 for the reconstruction of Dicks Brook culvert and downtown streetscape improvements in the town of Barre; up to \$2,500,000 for rehabilitation of downtown parking structure in the city of Pittsfield; up to \$1,300,000 for downtown revitalization and streetscape improvements in the town of Randolph; up to \$1,000,000 for Everett Avenue reconstruction in the city of Chelsea; up to \$2,500,000 for downtown revitalization and sewer improvements in the town Easton; up to \$2,200,000 for construction of a public way from route 202 to Campus road providing additional access to Holyoke Community College in the city of Holyoke; up to \$1,250,00 for road and infrastructure improvements to support downtown revitalization in the town of Amesbury; up to \$1,550,000 for Commerce Way improvements in the town of Plymouth; up to \$2,000,000 for infrastructure improvements to support redevelopment of Greylock Glen in the town of Adams;

up to \$1,000,000 for the restoration of rail crossing and the towns of Hopedale and Milford; up to \$2,000,000 for the Route 1 water main relocation in the town of Saugus; up to \$1,200,000 for the Merrimack Street parking facility, rail trail and streetscape improvements for the city of Haverhill; up to \$1,200,000 for South End streetscape improvements in the city of Springfield; up to \$1,500,000 for public infrastructure improvements at Northwest Park in the town of Burlington; up to \$500,000 for the Ingelside Park revitalization in the town of Winthrop; up to \$500,000 for a senior center in the town of Rockland; up to \$1,800,000 for further renovation of the Houghton's Pond Park and athletic fields in the Town of Milton; and up to \$1,500,000 for downtown streetscape improvements in the city of Brockton.

SECTION 90. The special commission established in section 160 of chapter 131 of the acts of 2010 is hereby revived and continued. The commission shall report its findings with the clerks of the house of representatives and the senate and the house and senate committees on ways and means not later than December 30, 2011. The report shall include recommendations for improving services for people with acquired or traumatic brain injury, the cost of maintaining or establishing those services and any legislation necessary to implement or allow for the development or expansion of services for the target population.

SECTION 91. The special commission established in section 181 of chapter 240 of the acts of 2010 is hereby revived and continued. The commission shall complete a written report detailing any factors to be considered in the index and any financial measures that would be necessary for implementation to the governor, the clerks of the senate and house of representatives, the joint committee on tourism, arts and cultural development and the joint committee on education not later than June 30, 2012.

SECTION 92. Notwithstanding any general or special law to the contrary, prior to calculating the consolidated net surplus for the fiscal year ending June 30, 2011, the comptroller shall transfer \$350,000,000 to the Commonwealth Stabilization Fund, established in section 2H of chapter 29 of the General Laws, from the undesignated balance in the operating funds.

SECTION 93. Notwithstanding any general or special law to the contrary, in fiscal year 2012 the department of elementary and secondary education shall assess on a sending school district school choice tuition amounts for any unpaid fiscal year 2011 innovation school tuition amount.

SECTION 94. There shall be established and set up on the books of the commonwealth a fund to be known as the Substance Abuse Services Fund. The commissioner of public health shall serve as the fund's trustee. Funds made available for this fund shall be used to expand inpatient treatment facilities and ongoing case management for individuals civilly committed under section 35 of chapter 123 of the General Laws. Upon the submission of a spending plan for this fund to the secretary of administration and finance, the house and senate committees on ways and means and the clerks of the house and the senate, the comptroller shall transfer \$10,000,000 from the General Fund to the Substance Abuse Services Fund. In developing the spending plan, the commissioner shall hold at least 1 public hearing and shall consult with the commissioner of mental health, the administrator of the trial court, a representative of the Massachusetts Medical Society, a representative of the Massachusetts Organization for Addiction Recovery and a representative of the Massachusetts Association for Behavioral Health Care. The commissioner shall submit a draft spending plan to the house and senate committee on ways and means 45 days prior to the submission of the final plan. This fund shall be in effect until June 30, 2013.

SECTION 95. Notwithstanding any general or special law to the contrary, if as of January 15, 2012, tax revenues as estimated under section 5B of chapter 29 of the general laws meet or exceed \$20,615,000,000, there shall be established and set up on the books of the commonwealth a human salary reserve fund. Provided that upon the establishment of this fund, the comptroller shall transfer \$10,000,000 from the general fund to the human service salary reserve fund. Provided that any funds transferred under this section shall be used to provide one time salary bonuses to personnel earning less than \$40,000 in annual compensation who are employed by private human service providers that deliver human and social services under contracts with departments within the executive office of health and human services and the executive office of elder affairs.

SECTION 96. Notwithstanding any general or special law to the contrary, the department of public health shall produce a report relative to deaths caused by the mosquito-borne eastern equine encephalitis virus (EEEV). The report shall include, but not be limited to, the following information: the procedures undertaken by the department in the months preceding September 1, 2011, to evaluate any threats to the public health caused by EEEV; the risk of transmission of EEEV to humans; and the factors weighed by the department when issuing a certification of public health hazard to initiate aerial application of mosquito control spray in Norfolk, Bristol and Plymouth counties. The department of public health shall consult with the state reclamation and

mosquito control board, the department of agricultural resources, the department of conservation and recreation, and the department of environmental protection in producing this report. The department of public health shall report its findings by filing the same with the clerks of the senate and the house of representatives, the senate and house chairs of the joint committee on public health, and the senate and house chairs of the joint committee on the environment, natural resources, and agriculture not later than 60 days after the passage of this act.

SECTION 97. Sections 11 and 15 shall take effect on January 1, 2013.

SECTION 98. Sections 12 and 16 shall take effect on January 1, 2015.